





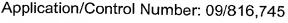
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/816,745	03/26/2001	Mamoru Sawada	1-120	6536	
	7590 05/22/2002				
LAW OFFICE OF DAVID G POSZ			EXAMINER		
2000 L STREET, N.W. SUITE 200 WASHINGTON, DC 20036			LE, DA	LE, DANG D	
***************************************	11, DC 20030		ART UNIT	PAPER NUMBER	
			2834		
		DATE MAIL ED: 05/22/2002			

Please find below and/or attached an Office communication concerning this application or proceeding.

(Ta			
•		Application No.	Applicant(s)
Office Action Summary		09/816,745	SAWADA ET AL.
		Examiner	Art Unit
	The MAN INC DATE And	Dang D Le	2834
Period fo	The MAILING DATE of this communication app or Reply	ears on the cover shee	t with the correspondence address
- Exter after - If the - If NO - Failur - Any r	ORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION. sions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period we to reply within the set or extended period for reply will, by statute, eply received by the Office later than three months after the mailing d patent term adjustment. See 37 CFR 1.704(b).	86(a). In no event, however, ma within the statutory minimum o ill apply and will expire SIX (6)	by a reply be timely filed f thirty (30) days will be considered timely. MONTHS from the mailing date of this communication.
1)	Responsive to communication(s) filed on		
2a) <u></u>		— s action is non-final.	
3) <u> </u>	Since this application is in condition for alloward closed in accordance with the practice under En of Claims	nce except for formal	matters, prosecution as to the merits is C.D. 11, 453 O.G. 213.
4)⊠	Claim(s) <u>1-7</u> is/are pending in the application.		
	la) Of the above claim(s) is/are withdraw	n from consideration.	,
5)	Claim(s) is/are allowed.		
6)□	Claim(s) is/are rejected.		
7)	Claim(s) is/are objected to.		
8)⊠ Applicatio	Claim(s) <u>1-7</u> are subject to restriction and/or ele on Papers	ction requirement.	
9)[] T	he specification is objected to by the Examiner.		
10)∏ T	he drawing(s) filed on is/are: a)□ accepto	ed or b) objected to b	v the Examiner
	Applicant may not request that any objection to the	drawing(s) be held in ab	evance. See 37 CFR 1.85(a)
11)□ T	he proposed drawing correction filed on i	s: a) approved b)	disapproved by the Examiner.
	If approved, corrected drawings are required in reply	to this Office action.	•
	ne oath or declaration is objected to by the Exar	miner.	
	der 35 U.S.C. §§ 119 and 120		
13)	Acknowledgment is made of a claim for foreign p	priority under 35 U.S.C	C. § 119(a)-(d) or (f).
a)[_	All b)☐ Some * c)☐ None of:		
1	. Certified copies of the priority documents t	nave been received.	
	. Certified copies of the priority documents h	nave been received in	Application No
* Se	Copies of the certified copies of the priority application from the International Bure ethe attached detailed Office action for a list of	/ documents have bee au (PCT Rule 17.2(a)) the certified copies no	en received in this National Stage b. ot received.
14) Ac	knowledgment is made of a claim for domestic p	oriority under 35 U.S.C	C. § 119(e) (to a provisional application).
a) [15)	_] The translation of the foreign language provis knowledgment is made of a claim for domestic	sional application has	heen received
tachment(s)		<u></u>
Notice of	of References Cited (PTO-892) of Draftsperson's Patent Drawing Review (PTO-948) tion Disclosure Statement(s) (PTO-1449) Paper No(s)	5\ Notion o	v Summary (PTO-413) Paper No(s) f Informal Patent Application (PTO-152)



Art Unit: 2834

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-6, drawn to the apparatus of a motor, classified in class 310, subclass 68c.
 - II. Claim 7, drawn to the method of control a short in a motor, classified in class 361, subclass 31.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions II and I are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus as claimed can be used to practice another and materially different process such as being used in an air conditioner.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to attorney David G. Posz, Reg. No. 37,701 on 14/5/02 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7382 for regular communications and (703) 308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Care (.C.

DDL May 18, 2002

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